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8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2009-107

13 **BELINDA A. SCHEXNIDER**  
5439 Carlton Street  
Oakland, California 94618

**A C C U S A T I O N**

14 Registered Nurse License No. 532460

15 Respondent.

16  
17 Ruth Ann Terry, M.P.H., R.N. ("Complainant") alleges:

18 **PARTIES**

19 1. Complainant brings this Accusation solely in her official capacity as the  
20 Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer  
21 Affairs.

22 **Registered Nurse License**

23 2. On or about May 27, 1997, the Board issued Registered Nurse License  
24 Number 532460 ("license") to Belinda A. Schexnider ("Respondent"). The license was in full  
25 force and effect at all times relevant to the charges brought herein and will expire on  
26 December 31, 2008, unless renewed.

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8. Code section 4060 states, in pertinent part:

No person shall possess any controlled substances, except that furnished to a person upon the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor....

9. Health and Safety Code section 11173, subdivision (a) provides that no person shall obtain or attempt to obtain controlled substances, or procure or attempt to procure the administration of or prescription for controlled substances, (1) by fraud, deceit, misrepresentation, or subterfuge; or (2) by the concealment of a material fact.

## **COST RECOVERY**

10. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

## 11. DRUGS

**“Demerol,”** a brand of meperidine hydrochloride, is a Schedule II controlled substance as designated by Health and Safety Code section 11055, subdivision (c)(17), and a dangerous drug under Code section 4022 in that under federal and state law it requires a prescription.

### FIRST CAUSE FOR DISCIPLINE

**(Obtained and Possessed a Controlled Substance in Violation of Law, and Self Administration)**

12. Respondent has subjected her license to discipline under Code section 2762, subdivision (a), on the grounds of unprofessional conduct, in that in or about December 2001, while on duty as a registered nurse at Kaiser Permanente Medical Center, Oakland, California, Respondent, by her own admission, committed the following acts:

a. Respondent obtained the controlled substance Demerol by fraud, deceit, misrepresentation or subterfuge, by taking the drug from hospital supplies for her own use, in violation of Health and Safety Code section 11173, subdivision (a).

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1                   b.       Respondent possessed the controlled substance Demerol in violation of  
2 Code section 4060.

3                   c.       Respondent self-administered unknown quantities of the controlled  
4 substance Demerol without lawful authority.

5                                   **SECOND CAUSE FOR DISCIPLINE**

6                                   **(Falsify Patient and/or Hospital Records)**

7                   13.       Respondent has subjected her license to discipline under Code section  
8 2762, subdivision (e), for unprofessional conduct, in that in or about December 2001, while on  
9 duty as a registered nurse at Kaiser Permanente Medical Center, Oakland, California, Respondent  
10 falsified or made grossly incorrect, inconsistent or unintelligible entries in the following hospital  
11 and/or patient records:

12                                   **Patient 09449402**

13                   a.       On December 7, 2001, at 2230 hours, Respondent withdrew one 100  
14 mg/ml syringe of Demerol from the narcotic cabinet without a physician's order. Respondent  
15 documented on the Controlled Drug Record that she administered one 100 mg/ml Demerol  
16 syringe to the patient; however, there was no patient with this medical record number.

17                                   **Patient 09956395**

18                   b.       On December 7, 2001, at 2250 hours, Respondent withdrew one 50 mg/ml  
19 syringe of Demerol from the narcotic cabinet without a physician's order. Respondent  
20 documented on the Controlled Drug Record that she administered one 50 mg/ml Demerol syringe  
21 to the patient; however, there was no patient with this medical record number.

22                                   **Patient 88992652**

23                   c.       On December 8, 2001, at 1620 hours, Respondent withdrew one 100  
24 mg/ml syringe of Demerol from the narcotic cabinet without a physician's order. Respondent  
25 documented on the Controlled Drug Record that she administered one 100 mg/ml Demerol  
26 syringe to the patient; however, there was no patient with this medical record number.

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**Patient 8865295**

d. On December 8, 2001, at 1710 hours, Respondent withdrew one 100 mg/ml syringe of Demerol from the narcotic cabinet without a physician's order. Respondent documented on the Controlled Drug Record that she administered one 100 mg/ml Demerol syringe to the patient; however, there was no patient with this medical record number.

**Patient 09952562**

e. On December 8, 2001, at 1820 hours, Respondent withdrew one 100 mg/ml syringe of Demerol from the narcotic cabinet without a physician's order. Respondent documented on the Controlled Drug Record that she administered one 100 mg/ml Demerol syringe to the patient; however, there was no patient with this medical record number.

**Patient 0886225**

f. On December 8, 2001, at 1850 hours, Respondent withdrew one 100 mg/ml syringe of Demerol from the narcotic cabinet without a physician's order. Respondent documented on the Controlled Drug Record that she administered one 100 mg/ml Demerol syringe to the patient; however, there was no patient with this medical record number.

**Patient 10545767**

g. On December 8, 2001, at 2030 hours, Respondent withdrew one 100 mg/ml syringe of Demerol from the narcotic cabinet without a physician's order. Respondent documented on the Controlled Drug Record that she administered one 100 mg/ml Demerol syringe to the patient; however, there was no patient with this medical record number.

**Patient 86562959**

h. On December 8, 2001, at 2045 hours, Respondent withdrew one 75 mg/ml syringe of Demerol from the narcotic cabinet without a physician's order. Respondent documented on the Controlled Drug Record that she administered one 75 mg/ml Demerol syringe to the patient; however, there was no patient with this medical record number.

**Patient 03652004**

i. On December 9, 2001, at 1930 hours, Respondent withdrew one 100 mg/ml syringe of Demerol from the narcotic cabinet without a physician's order. Respondent

1 documented on the Controlled Drug Record that she administered one 100 mg/ml Demerol  
2 syringe to the patient; however, there was no patient with this medical record number.

3 **Patient 8665617**

4 j. On December 9, 2001, at 2030 hours, Respondent withdrew one 100  
5 mg/ml syringe of Demerol from the narcotic cabinet without a physician's order. Respondent  
6 documented on the Controlled Drug Record that she administered one 100 mg/ml Demerol  
7 syringe to the patient; however, there was no patient with this medical record number.

8 **Patient 9556285**

9 k. On December 9, 2001, at 2030 hours, Respondent withdrew one 75 mg/ml  
10 syringe of Demerol from the narcotic cabinet without a physician's order. Respondent  
11 documented on the Controlled Drug Record that she administered one 75 mg/ml Demerol syringe  
12 to the patient; however, there was no patient with this medical record number.

13 **Patient 95568865**

14 l. On December 9, 2001, at 2130 hours, Respondent withdrew one 100  
15 mg/ml syringe of Demerol from the narcotic cabinet without a physician's order. Respondent  
16 documented on the Controlled Drug Record that she administered one 100 mg/ml Demerol  
17 syringe to the patient; however, there was no patient with this medical record number.

18 **Patient 06231622**

19 m. On December 9, 2001, at 2230 hours, Respondent withdrew one 100  
20 mg/ml syringe of Demerol from the narcotic cabinet without a physician's order. Respondent  
21 documented on the Controlled Drug Record that she administered one 100 mg/ml Demerol  
22 syringe to the patient; however, there was no patient with this medical record number.

23 **Patient 08852652**

24 n. On December 9, 2001, at 2300 hours, Respondent withdrew one 50 mg/ml  
25 syringe of Demerol from the narcotic cabinet without a physician's order. Respondent  
26 documented on the Controlled Drug Record that she administered one 50 mg/ml Demerol syringe  
27 to the patient; however, there was no patient with this medical record number.

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**Patient 08852968**


o. On December 9, 2001, at 2315 hours, Respondent withdrew one 75 mg/ml syringe of Demerol from the narcotic cabinet without a physician's order. Respondent documented on the Controlled Drug Record that she administered one 75 mg/ml Demerol syringe to the patient; however, there was no patient with this medical record number.

**PRAYER**

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 532460, issued to Belinda A. Schexnider;
2. Ordering Belinda A. Schexnider to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Code section 125.3; and,
3. Taking such other and further action as deemed necessary and proper.

DATED: 11/17/08

  
RUTH ANN TERRY, M.P.H., R.N.  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant